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# THE INTERIM

**The Monthly Report  
of Legislative  
Activity**



A Publication of



**Montana Legislative Council**

**JANUARY 1994** HELENA, MONTANA **VOL. IX NO. 8**

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## LEGISLATIVE REPORT

Legislative Report in Pull-out Section...In the center of this month's INTERIM, is a pull-out section on white paper containing a report on the final status of legislation introduced during the December 1993 Special Session. The information is current as of December 27.

## ENVIRONMENTAL QUALITY COUNCIL

Council to Elect New Presiding Officer...The Environmental Quality Council (EQC) will meet on Friday, January 28 in Room 108 of the State Capitol. Due to Senator Bill Yellowtail's resignation from the Senate, the Council will elect a new presiding officer. Senator Jeff Weldon has been appointed to replace Senator Yellowtail on the Council.

SJR 34 Working Group Meets...At its meeting on December 3, the EQC's Hazardous Waste Management Working Group discussed a set of draft ground rules for how the group will operate and make decisions. The group then began developing a work plan. The working group's next meeting will be on Friday, January 21, starting at 9:00 a.m. in the DNRC Director's conference room. At that meeting, the working group will finalize its ground rules and further refine its workplan. Anyone

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seeking more information or who is interested in participating on the working group should contact EQC staff. The working group will report to the full EQC at its January 28 meeting.

Council Will Hold Panel Discussion on Nondegradation Study...The EQC will sponsor a three-hour panel discussion on Friday morning looking at the "mitigation" issue. The panelists will include representatives from various state agencies, the regulated community, and public interest groups. The focus of the discussion will be an analysis of the potential for offsetting authorized water quality degradation with other water quality improvements.

Council Begins Energy Policy Development...The Council will receive a report from the Department of Transportation and the Department of Natural Resources and Conservation on the opportunities for improving transportation energy efficiency in Montana. This is the first step in the collaborative development of a state policy on transportation energy efficiency.

Other Items...Other agenda items will include updates on MEPA implementation and on bull trout issues. Additionally, the Council will receive a report from the Northwest Conservation Act Coalition and take a tour of the Natural Resources Information System over the noon break.

For more information on these issues, please contact the EQC staff at 444-3742.

## WATER POLICY COMMITTEE

Committee Meets During Special Session...The Water Policy Committee met on November 30. Due to time constraints of the Special Session, the meeting focused solely on the instream flow study.

Committee Hears Panel Discussion of Water Law...The Committee invited a panel of four knowledgeable water law attorneys to answer questions and discuss basic Montana water law as it relates to instream flow issues. Committee members said that the three and one-half hour discussion was one of the most informative panels they had attended. A transcript of the meeting is available from the EQC staff.

Committee Discusses Interim Work...The Committee also briefly met on December 15 to discuss interim progress and future study goals for the instream flow and late claims studies. Summary meeting minutes for this meeting are available.



Next Meeting Scheduled for February...The next Committee meeting is scheduled for Monday, February 7 in Room 104 of the State Capitol. This meeting will focus on the instream flow and late claims studies.

For an agenda or more information on these issues, please contact the EQC staff at 444-3742.

## SUBCOMMITTEE ON WORKERS' COMPENSATION ALTERNATIVES

Subcommittee Meets During Special Session...The Joint Subcommittee on Workers' Compensation Alternatives met on December 1, during the Special Session. Representative Duane Grimes, sponsor of the legislation requesting the interim study of 24-hour coverage, shared his interests that led to the introduction of House Joint Resolution No. 33.

The study resolution calls for a three-part study: 24-hour health care coverage as an alternative for workers' compensation; other alternatives to workers' compensation; and review of the workers' compensation legislation passed in 1993.

Subcommittee Hears from Fund Chairman...The Subcommittee also heard from Rick Hill, Chairman of the State Fund Board of Directors, regarding the Board's decision to change the premium collection method from a security deposit and quarterly report method to an installment mechanism.

Subcommittee to Meet in February...The Subcommittee's next meeting is scheduled for Friday, February 4 in Helena. The agenda for that meeting includes:

- an update on the Old Fund unfunded liability tax collection from Jeff Miller of the Department of Revenue;
- an update on the managed care and the safety program Administrative Rules from Chuck Hunter of the Department of Labor and Industry; and
- information on fraud reporting and interdepartmental information-sharing.

There will also be further information presented on 24-hour coverage and the progress of discussions between the State Fund Board of Directors and the business community in regard to the new premium collection method.

## STATE HOUSING TASK FORCE

Task Force Appointed...Governor Racicot appointed the members of the State Housing Task Force on October 29. The members are Senator Chris Christiaens, Representative Norm Wallin, Jeff Regnier, Tim Evans, Jan Martin, Tom Welch, Ronda Carpenter, Jeff Rupp, Bill Pierce, Nora Nelson, Kevin Hager, Nancy Stephenson, David Gentry, Paul Bankhead, Dan Hickey, and Patt Leikam.

The Task Force is charged with studying housing problems in Montana and proposing ways to address those problems. The first meeting of the Task Force will take place in February in Helena.

## SUBCOMMITTEE ON INSURANCE ISSUES

Subcommittee to Meet in January...The Subcommittee on Insurance Issues will meet on Friday, January 7 in Room 104 of the State Capitol. The meeting will begin at 9:30 a.m. Staff will present a series of papers addressing each of the issues identified in the study resolution. The purpose of the issue papers is two-fold: to educate the members on the issues and to assist the Subcommittee in choosing the issues it wishes to pursue further during the interim.

## COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND BUDGET

Committee to Meet in January...The Joint Committee on Postsecondary Education Policy and Budget will meet on January 7 at 9:00 a.m. in Room 312-1 of the State Capitol. Scheduled topics include updates from the Commissioner of Higher Education on the Montana University System (MUS) restructuring effort and the core curriculum project and a report on potential MUS funding goals and mechanisms.

## REVENUE OVERSIGHT COMMITTEE

Committee Meets Twice in November...The Revenue Oversight Committee met November 10 and November 17 to consider issues related to the Special Session.

Committee Revises Revenue Estimates...The Committee met November 10 to revise the revenue estimates contained in HJR 3 (the revenue estimating resolution adopted during the 1993 regular session). Terry Johnson, Principal Analyst for the Legislative Fiscal Analyst (LFA), presented revised assumptions used to determine revenue estimates by revenue source. Because of the suspension of HB 671, the estimates for individual income taxes and corporation license taxes were reduced by \$72 million for the biennium. In addition, the Department of Revenue has issued approximately \$6 million in refunds for tax year 1988 to federal retirees for taxes illegally collected on their federal retirement income. The suspension of HB 671 and the tax refunds resulted in a \$78 million revenue impact to the state for the FY 1994-95 biennium. Revenue estimates for oil severance taxes and for interest earnings were also reduced. The reductions in oil severance taxes and interest earnings, along with anticipated increases and decreases in other revenue sources, resulted in a net increase in revenue of \$25 million. Altogether, the LFA estimated a net reduction of \$53 million in revenue to the state general fund and the school equalization account.

Steve Bender, Assistant Director of the Office of Budget and Program Planning (OBPP), presented the revised revenue estimates of the OBPP. The executive branch revised estimates differed with LFA estimates by less than \$1 million in the general fund and by about \$3.9 million in the school equalization account, for a combined difference of about \$2.9 million. The difference in the two estimates was much higher than these figures indicate because the OBPP anticipated that \$6.4 million dollars would be collected in the current biennium from the railroad car tax. This tax has been challenged by railroad car companies operating in Montana. The collection of the tax may hinge on a U.S. Supreme Court decision in a similar situation in Oregon. The Committee decided to adopt the LFA assumptions and the resulting biennium estimates of \$1.77 billion in the combined state general fund and school equalization account.

Committee Considers Other Special Session Issues...At the November 17 meeting, the Committee heard a proposal from representatives of Shell and Meridian oil companies for tax incentives for enhanced recovery projects completed between January 1, 1994, and December 31, 2001. The companies proposed an 18-month exemption from net proceeds taxes on production from horizontal wells and reduced net proceeds tax rates and reduced severance tax rates (state severance taxes and local government severance taxes) on incremental production from enhanced recovery projects. These incentives could result in \$141 million dollars



of new capital investment and 138 new wells over eight years. In addition, the oil companies projected new tax revenue of \$122.8 million over the production period of the new wells. The proposal was adopted by the Legislature (SB 18) during the Special Session.

Governor Racicot included the consideration of property tax relief in his call for the Special Session. Committee staff presented a report detailing some issues related to property taxation. The first part of the report summarized the results of the annual survey conducted by the U.S. Advisory Commission on Intergovernmental Relations on the public's attitude on taxation. The survey showed that, since 1972, the property tax competes with the federal income tax as the worst tax, that is the least fair. Although the poll does not necessarily reflect Montana's attitude on taxation, there has been a long standing dissatisfaction with the state's property tax structure. The 1972 Montana Constitution required that the state appraise, assess, and equalize the value of all property which is to be taxed. The report provided a brief history of the reappraisal of residential and commercial property since the adoption of the new Constitution. The report also discussed some of the implications of I-105 and the sales assessment ratio studies that were used to value property during the last reappraisal cycle.

Mick Robinson, Director of the Department of Revenue, presented the findings and recommendations of the Governor's Advisory Council of Property Ownership. The Council was formed to address, in what the Governor termed "a crisis in fairness", the relatively large increases in taxable value and mill levies experienced by many Montana residents. The Council recommended an expansion of low-income property tax relief, the phase-in and capping of increases of taxable value, and a "makeup" tax when a property is sold. Although the Legislature referred a constitutional amendment dealing with the valuation of property to the electorate, the issue of the property tax relief became so divisive during the Special Session that no other measure was adopted.

The Governor also included in the call consideration of providing refunds to federal retirees for taxes illegally collected on retirement income for tax years 1983 through 1987. In June of this year, the U.S. Supreme Court ruled in Harper v. Virginia Department of Taxation, 509 U.S. (1993) that the Davis decision (i.e., federal retirement income must be treated at least as favorably as state and local retirement income) applied retroactively. The U.S. Supreme Court did not provide a specific remedy and remanded Harper as well as several similar cases (including Sheehy in Montana) to the states for further consideration. Committee staff provided a summary of other state action in the light of Harper. Most states appear to have resolved the refund of taxes in favor of federal retirees or are moving in that direction. Georgia, Montana, New York, North Carolina, and Virginia are continuing to litigate the issue. The Montana Legislature did not pass any proposal dealing with retroactive relief for federal retirees.



Confidentiality of Taxpayer Information...The Department of Revenue informed the Committee at the November 17 meeting that the Department had adopted rules on the confidentiality of certain taxpayer information. The Department will continue to provide information on excise taxes paid by beer wholesalers and wine distributors. On the other hand, reports of shipment volumes of brewers and beer importers and wineries that were previously public information will now be confidential. Of more significant interest to the Committee was the release of information relating to Montana's coal companies. The Department will release individual coal company production levels and a statewide average sales price. However, data on individual contract sales price and severance taxes paid will not be released.

Next Meeting Is January 28...The Revenue Oversight Committee is scheduled to meet at 9:30 a.m. Friday, January 28 in Room 104 of the State Capitol. A full agenda has not been set, but the Committee will begin its work on the financing of special improvement districts.

## JUDICIAL UNIFICATION AND FINANCE COMMISSION

Commission Meets Following Special Session...On the heels of the recent Special Legislative Session, the Judicial Unification and Finance Commission (JUFC), on December 20, again took up its work studying state court funding and potential consolidation.

Commission Hears Testimony on Many Issues...The JUFC heard special testimony from Lewis and Clark County Public Defender Randi Hood and representatives of the State Bar Association, Cascade County (the 8th Judicial District), the clerks of district court, the Montana State Law Library, the Office of Court Administrator, and the Montana Association of Counties.

The State Bar Association and Cascade County representatives pointed to an inherent inequity of property taxes and the inability of counties to raise the revenue required to fund district courts. The representatives strongly urged the JUFC to consider state funding of district courts and to examine whether some degree of court consolidation would help address the funding issues.

Public Defender Randi Hood testified that inequitable and low pay, as well as the consequent inexperience of public defenders, is a problem in Montana's court system. Inexperienced public defenders may pursue costly trials or make errors that lead to retrials or appeals, whereas experienced defenders may avoid costly errors and appeals made on the

grounds of inadequate defense counsel. Ms. Hood supported the state appellate defender's office and pointed to the cost savings that has resulted from one experienced attorney being able to handle numerous cases because of their similarity.

Judy Meadows, State Law Librarian, told the JUFC that, based on a survey of the counties, magistrates, and judicial districts, 38% of the judicial districts have neither law clerks nor computer-assisted legal research services available for the judges; the average number of legal titles available at the county level is less than 12 (with only 6 collections including the Administrative Rules of Montana) and no county collection including the Code of Federal Regulations; and that local level budgets for the purchase of legal research material have been cut an average of 23% in recent years. Ms. Meadows urged the JUFC to consider the potential for new models of legal research service delivery, providing the counties with computer equipment to assist research, and ensuring that judges become computer literate.

Pat Chenovick, Supreme Court Administrator, suggested the JUFC could look at ways to expand the state reimbursement and grant-in-aid programs to address funding needs at the district court level. Mr. Chenovick also announced that his office has been awarded a grant of \$7,900 from the State Justice Institute for technical assistance for the JUFC's study.

The Montana Association of Counties (MACO) presented historical financial data on selected counties. The MACO data showed the decline in property values that many counties have had to cope with since the mid-80's and the resultant strain placed on counties to raise revenue for district courts based on statutory mill-levy caps. Furthermore, counties have had to rely on supplementary sources of revenue, such as the 0.5% local option vehicle tax, to service the district court debts.

Commission To Seek Information from Other States...The JUFC concluded its meeting with discussion of the material presented and a request for research on other states' experiences with court unification and state funding. Commission members agreed to consider inviting speakers from other states to present information to the JUFC at its next meeting, perhaps through a teleconference. Also, the JUFC discussed a survey of district judges, county commissioners, magistrates, and clerks of district court, which will be mailed in January, with the results available for the next meeting.

To Meet Again in February...The JUFC's next meeting is scheduled for Thursday, February 3, beginning at 9 a.m. in Room 104 of the State Capitol.

If you would like to be added to the interested persons mailing list to receive meeting notices and other information about the JUFC's study, please contact the Legislative Council at 444-3064.

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## HOUSE BILL STATUS REPORT

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-HB--AUTHOR-----SUBJECT-----LATEST ACTION-----

1 ZOOK	FEED BILL FOR SPECIAL SESSION	12/03 CHAPTER NUMBER 1
2 ZOOK	REVISE GENERAL APPROPRIATIONS ACT AND OTHER APPROPRIATIONS	12/27 TRANSMIT TO GOVERNOR
3 GALVIN	INCREASE BED TAX TO 8%; ALLOW LOCAL GOVERNMENT TO IMPOSE 1% BED TAX	IN HOUSE DIED IN COMMITTEE
4 BENEDICT	AUTHORIZE INMATE LABOR FOR DAIRY DORM CONSTRUCTION	12/18 TRANSMIT TO GOVERNOR
5 ELLIOTT	PRIVATIZE STATE LANDS NURSERY AND GROUNDS PROGRAM	TABLED IN (H) APPROPRIATIONS
6 PETERSON	REVISE DEPOSIT OF HIGHWAY TRAFFIC SAFETY LICENSE REINSTATEMENT FEES	12/16 CHAPTER NUMBER 2
7 ZOOK	REVISE THE DEFINITIONS OF TERMINOLOGY USED IN STATE BUDGETING	12/23 CHAPTER NUMBER 12
8 BENEDICT	PRISON STAFF CONSTRUCTION OF SECURITY FENCE	12/18 TRANSMIT TO GOVERNOR
9 BENEDICT	REQUIRE ONLY ONE LICENSE PLATE, ON REAR OF VEHICLE	TABLED IN (S) FINANCE & CLAIMS
10 SIMPKINS	ELIMINATE STATE LAND EQUALIZATION PAYMENTS	IN HOUSE 2ND READING NOT PASSED
11 WISEMAN	PAY STATE EMPLOYEE SALARIES AND RETIREMENT BENEFITS BY ELECTRONIC TRANSFER	IN HOUSE 3RD READING FAILED
12 KASTEN	ALLOCATE STATE LAND TIMBER SALE REVENUE, EXC HIGHER ED, TO SPECIAL REV FUND	TABLED IN (H) APPROPRIATIONS
13 GRADY	STATUTORY APPROPRIATION FOR CAPITAL IMPROVEMENTS IN ADULT CORRECTIONS SYSTEM	IN HOUSE COM RPT-NOT PASSED (H) APPROPRIATIONS
14 QUILICI	LIMIT BALANCE OF CRIME VICTIMS COMPENSATION ACCOUNT; BALANCE TO GENERAL FUND	12/16 CHAPTER NUMBER 3
15 LARSON	REVISE MOTOR FUELS LAWS	12/20 CHAPTER NUMBER 10
16 COBB	REVISE CLASS FOUR PROPERTY TAX RATE TO ACCOUNT FOR REVALUATION INCREASES	IN HOUSE 2ND READING NOT PASSED
17 KADAS	REQUIRING VOTER APPROVAL FOR	IN HOUSE



-HB--AUTHOR-----	SUBJECT-----	LATEST ACTION-----
	SCHOOL LEVIES AND LIMITING. BUDGET INCREASES	DIED IN COMMITTEE
18 FOSTER	EXTEND BUDGET GROWTH PHASE IN FOR SCHOOL DISTRICTS WITH LOSS OF TAXABLE VALUE	TABLED IN (H) EDUCATION
19 BERGSAGEL	TRANSFER CLEAN COAL FUND TO BUILDING MAINTENANCE ACCOUNT	TABLED IN (H) APPROPRIATIONS
20 MILLS	ELIMINATE FUNDING AND OPI SUPERVISION OF SCHOOL TRAFFIC EDUCATION PROGRAM	IN HOUSE DIED IN COMMITTEE
21 PETERSON	CLARIFYING COST RECOVERY PLAN AND PAYMENT SCHEDULE FOR AGENCY PROGRAM COSTS	12/27 TRANSMIT TO GOVERNOR
22 HANSON, S.	REDUCE BASIC ENTITLEMENT & PER-ANB ENTITLEMENT FOR SCHOOL DISTRICT FUNDING	12/27 TRANSMIT TO GOVERNOR
23 BOHARSKI	REQUIRE VOTER APPROVAL FOR SCHOOL DISTRICT OVER-BASE BUDGET IN CERTAIN CASES	TABLED IN (S) EDUCATION
24 WANZENRIED	REMOVE CONSTITUTIONAL REQUIREMENT FOR DEPARTMENT OF AGRICULTURE	IN HOUSE DIED IN COMMITTEE
25 WANZENRIED	REMOVE CONSTITUTIONAL REQUIREMENT TO HAVE A DEPARTMENT OF LABOR & INDUSTRY	IN HOUSE DIED IN COMMITTEE
26 WANZENRIED	LIMITING SCHOOL DISTRICT GENERAL FUND EXPENSES FOR ADMINISTRATION	IN HOUSE 2ND READING NOT PASSED AS AMENDED
27 COBB	INCOME TAX CREDIT FOR CERTAIN LOW-INCOME TAXPAYERS	IN HOUSE DIED IN COMMITTEE
28 DRISCOLL	ALLOW SUSPENSION OF PROPERTY TAX VALUE -- CERTAIN HOMESTEADS -- OVER AGE 60	IN HOUSE DIED IN COMMITTEE
29 FOSTER	GIVE PROPERTY TAX RELIEF TO ELIGIBLE CLASS 4 RESIDENTIAL PROPERTY TAXPAYERS	IN HOUSE DIED IN PROCESS
30 LARSON	REQUIRE THAT MANDATED PROGRAMS BE IDENTIFIED IN AGENCY BUDGET SUBMISSIONS	12/23 CHAPTER NUMBER 13
31 WANZENRIED	ELIMINATE STATE FUNDING FOR SCHOOL EXTRACURRICULAR ATHLETIC PROGRAMS	IN HOUSE DIED IN COMMITTEE

-HB--AUTHOR-----SUBJECT-----LATEST ACTION-----

32 WANZENRIED	ELIMINATE STATE FUNDING FOR SCHOOL EXTRACURRICULAR ACTIVITIES	IN HOUSE DIED IN COMMITTEE
33 COBB	REVISE MEDICAID MANAGED CARE; PERMIT CAPITATED HEALTH CARE	12/27 TRANSMIT TO GOVERNOR
34 COBB	REVISE MEDICAID ELIGIBILITY AND SERVICES	12/23 CHAPTER NUMBER 14
35 WANZENRIED	LIMIT STATE EXECUTIVE BRANCH DEPARTMENTS TO 12 INSTEAD OF 20	PROPOSED CONST. AMEND. FAILED TO RECEIVED 2/3 VOTE OF LEGISLATURE
36 PETERSON	REQUIRE COUNTY TAX APPEAL APPEARANCE FOR APPEAL TO STATE BOARD UNLESS WAIVED	12/23 CHAPTER NUMBER 15
37 MOLNAR	RESIDENTIAL PROPERTY TAX CREDIT	IN HOUSE DIED IN COMMITTEE
38 HARPER	LEGISLATIVE BRANCH MANAGEMENT POLICY	TABLED IN (S) FINANCE & CLAIMS
39 ORR	PRIVATIZE HELENA MOTOR POOL; MAY EXPAND SO STATE WILL LEASE ALL NEEDED CARS	TABLED IN (S) FINANCE & CLAIMS
40 WANZENRIED	ELIMINATE STATUTORY REFERENCES TO HEALTH & ENVIRONMENTAL SCIENCES DIVISION	12/23 CHAPTER NUMBER 16
41 PAVLOVICH	DIVERT COAL TAXES TO SCHOOL FINANCE AND BUILDING MAINTENANCE	TABLED IN (H) APPROPRIATIONS
42 MILLS	TAXABLE VALUATION OF RESIDENTIAL PROPERTY - ACQUISITION COST PLUS CPI	IN HOUSE DIED IN COMMITTEE
43 RICE, J.	EXPAND CONDITIONS UNDER WHICH AGENCIES MAY DIRECTLY BUY OFFICE SUPPLIES	12/20 CHAPTER NUMBER 11
44 KADAS	INTEREST ON LIVESTOCK DEPARTMENT ACCOUNTS TO GENERAL FUND	TABLED IN (H) APPROPRIATIONS
45 FOSTER	PROVIDE FUNDING FOR PURPOSES OF PROPERTY TAX INCREASE TAX CREDITS & REBATES	TABLED IN (S) TAXATION
46 HIBBARD	ALLOW GAME WARDENS TO PURCHASE ADDITIONAL RETIREMENT SERVICE	IN SENATE 2ND READ--INDEFINITELY POSTPONED
47 ELLIOTT	PROPERTY TAX EXEMPTION FOR	TABLED IN

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## HOUSE BILL STATUS REPORT

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HB--AUTHOR-----	SUBJECT-----	LATEST ACTION-----
	CERTAIN HOMEOWNERS	(H) TAXATION
48 JOHNSON, R.	ALLOW DEPT. OF ADMIN. TO BORROW COAL TRUST FUNDS FOR STATE CASH FLOW NEEDS	IN HOUSE DIED IN PROCESS
49 RICE, S.	COMBINE FUNCTIONS AND OPERATIONS OF DEPARTMENTS OF AGRICULTURE AND LIVESTOCK	TABLED IN (H) STATE ADMIN.
50 SWANSON	RESTRUCTURE PROPERTY ASSESSMENT AND VALUATION FUNCTIONS	12/27 TRANSMIT TO GOVERNOR
51 RANEY	VALUE RESIDENCES BY ACQUISITION COST -- CONSTITUTIONAL AMENDMENT	TABLED IN (H) TAXATION
52 RANEY	EXTEND REAPPRAISAL APPEAL TO 60 DAYS AFTER TAX NOTICE MAILED	IN HOUSE DIED IN COMMITTEE
53 RANEY	DEPT. OF REVENUE REPORT -- STATE SERVICES SUBSIDY FOR NONRESIDENT LANDOWNERS	TABLED IN (H) TAXATION
54 BENEDICT	INCREASE FEE FOR ENFORCEMENT/ADMINISTRATION OF FIRE HAZARD REDUCTION PROGRAM	IN HOUSE DIED IN PROCESS
55 FOSTER	IMPLEMENT CONSTITUTIONAL AMENDMENT - ACQUISITION VALUE FOR PROPERTY TAXATION	IN HOUSE DIED IN PROCESS
56 COCCHIARELLA	CLARIFY CERTAIN EXCEPTIONS TO MANDATORY SCHOOL ATTENDANCE AGREEMENTS	12/18 TRANSMIT TO GOVERNOR
57 HIBBARD	GIVE TAX CREDIT TO FEDERAL RETIREES WHO TIMELY FILED FOR F.P.I. TAX REFUND	IN HOUSE DIED IN PROCESS
58 HARPER	PROVIDING PROTECTION TO INVOLUNTARILY TERMINATED STATE EMPLOYEES	TABLED IN (H) STATE ADMIN.
59 BENEDICT	REQUIRE VOTE OF ELECTORATE ON WHETHER TO ANNEX SCHOOL DISTRICTS	TABLED IN (S) EDUCATION
60 DEBRUYCKER	ELIMINATE THE CLEAN COAL TECHNOLOGY DEMONSTRATION FUND AND PROGRAM	12/27 TRANSMIT TO GOVERNOR
61 REHBEIN	AUTHORIZE DEPT OF TRAN TO CONTRACT FOR HIGHWAY REPAIR & MAINTENANCE SERVICES	IN HOUSE DIED IN PROCESS



-HB--AUTHOR-----	SUBJECT-----	LATEST ACTION-----
62 RANEY	IMPLEMENT CONSTITUTIONAL AMENDMENT ON VALUE RESIDENCES AT ACQUISITION COST	IN HOUSE DIED IN COMMITTEE
63 BRANDEWIE	TRANSFER LOCAL GOV'T AUDIT FROM COMMERCE TO LEG. AUDITOR/REVISE BUDGET AMEND	TABLED IN (H) APPROPRIATIONS
64 KADAS	ALLOW UNIFIED DISTRICT TO INCREASE ADULT EDUCATION MILL LEVY TO 3 MILLS	12/18 TRANSMIT TO GOVERNOR
65 FAGG	REVISING PROPERTY TAX RELIEF FOR LOW TO MODERATE INCOME AND THE ELDERLY	IN HOUSE DIED IN COMMITTEE
66 LARSON	MAIL RENEWAL OF DRIVER'S LICENSES	12/18 TRANSMIT TO GOVERNOR
67 SCHWINDEN	AUTHORIZE INCREASED GAMING ON RESERVATIONS WITH STATE SHARING REVENUE	ADVERSE COM RP ADOPT (H) JUDICIARY
68 HIBBARD	REMOVE RESTRICTIONS ON LOANS TO BANK DIRECTORS	12/23 CHAPTER NUMBER 17
69 RANEY	ELIMINATE COUNTY TREASURERS' DUTIES TO MANAGE SCHOOL DISTRICT FUNDS	IN HOUSE DIED IN PROCESS
70 TUSS	REQUIRE ANNUAL LEAVE OR LEAVE WITHOUT PAY FOR MILITARY LEAVE FOR PUBLIC EMP.	TABLED IN (H) STATE ADMIN.
71 TASH	AUTHORIZE LUMP-SUM APPROPRIATIONS FOR AGENCIES	IN SENATE DIED IN COMMITTEE
72 BRANDEWIE	REQUIRE SECURITY DEPOSIT FOR CHALLENGES OF DSL TIMBER SALE	TABLED IN (S) JUDICIARY
73 MENAHAN	REVISE ELIGIBILITY FOR & AMOUNT OF LOW-INCOME HOMEOWNER PROPERTY TAX RELIEF	IN HOUSE DIED IN COMMITTEE
74 WANZENRIED	NORTHERN CHEYENNE -- MONTANA WATER RIGHTS COMPACT RATIFICATION	12/17 CHAPTER NUMBER 7
75 MOLNAR	REPEAL STATE ASSUMPTION TO FUND MEDICALLY NEEDY PROGRAM	TABLED IN (H) APPROPRIATIONS
76 BRANDEWIE	TWO ELECTIONS PER YEAR ON CERTAIN SCHOOL FINANCE MATTERS	TABLED IN (S) EDUCATION
77 RYAN	PROVIDING PROPERTY TAX RELIEF BY IMPOSING A REALTY TRANSFER	IN HOUSE DIED IN COMMITTEE

-HB--AUTHOR-----	SUBJECT-----	LATEST ACTION-----
	TAX	
78 TOOLE	PROVIDING A PROPERTY TAX DEFERRAL FOR CERTAIN RESIDENTIAL PROPERTY	IN HOUSE DIED IN COMMITTEE
79 RICE, S.	SUBJECT CERTAIN MILITARY WAGES TO STATE INCOME TAXATION	IN HOUSE DIED IN COMMITTEE
80 ELLIS	SCHOOL DISTRICT EMPLOYEE SALARY WHEN UNION CONTRACT EXPIRES	IN HOUSE 2ND READING NOT PASSED
81 BOHARSKI	FREEDOM OF CHOICE IN EDUCATION	IN HOUSE 2ND READING NOT PASSED AS AMENDED
82 MILLS	ELIMINATE DHES PUBLIC HEALTH DUTIES FOR MATTRESS FILLINGS	IN HOUSE DIED IN PROCESS
83 BERGMAN	ELIMINATE REGULATION OF VITAMIN & MINERAL CONTENT OF FLOUR & BREAD	IN HOUSE DIED IN PROCESS
84 BARNETT	TRANSFER TO LOCAL HEALTH BOARDS LICENSURE OF SEPTIC SYSTEM CLEANERS	IN HOUSE DIED IN COMMITTEE
85 MOLNAR	PROHIBIT LEGISLATORS FROM RECEIVING PAY FROM PUBLIC EMPLOYERS DURING SERVICE	TABLED IN (H) STATE ADMIN.
86 BOHARSKI	DELAY EFFECTIVE DATE OF PART OF SMALL EMPLOYER INSURANCE ACT	TABLED IN (H) BUSINESS
87 COCCHIARELLA	PROOF OF COMPLIANCE WITH WORKERS' COMP AND UI LAW FOR CERTAIN PERMITS	IN SENATE 2ND READ--INDEFINITELY POSTPONED
88 RUSSELL	OSTEOPOROSIS PREVENTION AND EDUCATION PROGRAM	IN HOUSE 3RD READING FAILED
89 KASTEN	ALLOCATE TO STATE CERTAIN REVENUES PREVIOUSLY USED FOR TRAFFIC EDUCATION	12/27 TRANSMIT TO GOVERNOR
90 GERVAIS	PUBLIC CONTRACT PREFERENCE FOR MINORITY BUSINESS ENTERPRISE	TABLED IN (S) FINANCE & CLAIMS
91 COBB	EMPLOYERS TO REPORT NEW HIRES FOR PURPOSES OF TITLE IV-D	IN HOUSE DIED IN COMMITTEE

-HJ--AUTHOR-----SUBJECT-----LATEST ACTION-----

1 RANEY	URGE COMMERCE TO REVIEW COST-EFFECTIVENESS OF LICENSING BOARDS	TABLED IN (H) BUSINESS
2 HARRINGTON	REVENUE ESTIMATING RESOLUTION	IN HOUSE DIED IN PROCESS
3 COCCHIARELLA	FWP & DOR STUDY OF RESIDENCY COMPLIANCE; REPORT TO 54TH LEGISLATURE	FILED WITH THE OFFICE OF SECRETARY OF STATE
4 GRINDE	STUDY LEGISLATIVE EFFICIENCY AND DEVELOP PLAN	TABLED IN (S) FINANCE & CLAIMS
5 BOHLINGER	SRS STUDY OF PUBLIC ASSISTANCE RECIPIENTS TO PROVIDE SERVICES TO DISABLED	FILED WITH THE OFFICE OF SECRETARY OF STATE
6 SIMON	INTERIM STUDY OF SCHOOL DISTRICT REORGANIZATION OR OTHER COST SAVINGS	TABLED IN (H) EDUCATION
7 WANZENRIED	INTERIM STUDY OF SCHOOL DISTRICT INSURANCE PURCHASING PROGRAMS	TABLED IN (H) EDUCATION
8 GERVAIS	RESOLUTION URGING NEGOTIATION WITH TRIBES TO ADMINISTER FEDERAL PROGRAMS	IN SENATE DIED IN COMMITTEE



# FIFTY-THIRD LEGISLATURE IN SPECIAL SESSION

## Nov. 29 through Dec. 18, 1993

### TALLY OF HOUSE BILLS

#### INTRODUCED

HOUSE BILLS .....	91
HOUSE JOINT RESOLUTIONS .....	<u>8</u>
TOTAL .....	99

#### PASSED

HOUSE BILLS .....	24
HOUSE JOINT RESOLUTIONS .....	<u>2</u>
TOTAL .....	26

#### VOTED DOWN, INDEFINITELY POSTPONED

HOUSE BILLS .....	<u>12</u>
TOTAL .....	12

#### TABLED IN COMMITTEE

HOUSE BILLS .....	25
HOUSE JOINT RESOLUTIONS .....	<u>4</u>
TOTAL .....	29

#### DIED IN COMMITTEE (no action taken)

HOUSE BILLS .....	21
HOUSE JOINT RESOLUTIONS .....	<u>1</u>
TOTAL .....	22

#### DIED IN PROCESS

HOUSE BILLS .....	9
HOUSE JOINT RESOLUTIONS .....	<u>1</u>
TOTAL .....	10

#### ~~~~~ As of Monday afternoon, Dec. 27, 1993

The following bill & 10 resolutions did not require the governor's signature (amendment), HJ 3, HJ 5, SJ 2, SJ 3, SJ 4, SJ 5, SJ 6, SJ 7, SJ 8, SJ 9, SJ 10.

The following 24 bills were passed and signed by the governor: HB 1, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13, HB 14, HB 15, HB 16, HB 17, HB 18, HB 19, HB 20, HB 21, HB 22, HB 23, SB 28, SB 29, SB 31, SB 32 and SB 33.

The following 15 bills were passed but have not yet been sent to the governor, have not yet been acted upon by the governor: HB 24, HB 25, HB 26, HB 27, HB 28, HB 29, HB 30, HB 31, HB 32, HB 33, HB 34, HB 35, HB 36, HB 37, HB 38.

~~~~~

# FIFTY-THIRD LEGISLATURE IN SPECIAL SESSION

Nov. 29 through Dec. 18, 1993

## TALLY OF SENATE BILLS

### INTRODUCED

|                                |          |
|--------------------------------|----------|
| SENATE BILLS .....             | 53       |
| SENATE JOINT RESOLUTIONS ..... | 5        |
| SENATE RESOLUTIONS .....       | <u>4</u> |
| TOTAL .....                    | 62       |

### PASSED

|                                |          |
|--------------------------------|----------|
| SENATE BILLS .....             | 16       |
| SENATE JOINT RESOLUTIONS ..... | 4        |
| SENATE RESOLUTIONS .....       | <u>4</u> |
| TOTAL .....                    | 24       |

### VOTED DOWN, INDEFINITELY POSTPONED

|                                |          |
|--------------------------------|----------|
| SENATE BILLS .....             | 4        |
| SENATE JOINT RESOLUTIONS ..... | <u>1</u> |
| TOTAL .....                    | 5        |

### TABLED IN COMMITTEE

|                    |           |
|--------------------|-----------|
| SENATE BILLS ..... | <u>16</u> |
| TOTAL .....        | 16        |

### DIED IN COMMITTEE (no action taken)

|                   |           |
|-------------------|-----------|
| SENATE BILLS..... | <u>13</u> |
| TOTAL .....       | 13        |

### DIED IN PROCESS

|                   |          |
|-------------------|----------|
| SENATE BILLS..... | <u>4</u> |
| TOTAL .....       | 4        |

ins were passed by the legislature and  
 re: SB 27 (proposed constitutional  
 4, SJ 5, SR 1, SR 2, SR 3 and SR 4.

ed by the legislature and have been  
 B 7, HB 14, HB 15, HB 30, HB 34, HB  
 , SB 5, SB 7, SB 13, SB 14, SB 18, SB  
 E51.

ed by the legislature but either have  
 have been sent to the governor but  
 governor: HB 2, HB 4, HB 8, HB 21, HB  
 4 HB 66, HB 89, SB 1, SB 43, & SB 46.

-SB--AUTHOR-----SUBJECT-----LATEST ACTION-----

|                |                                                                                    |                                                  |             |
|----------------|------------------------------------------------------------------------------------|--------------------------------------------------|-------------|
| 1 GAGE         | ALLOW SCHOOL DISTRICTS TO<br>ANTICIPATE THE REVENUE<br>AVAILABLE FOR GENERAL FUND  | TRANSMIT TO GOVERNOR                             | 12/20       |
| 2 GAGE         | LOWER MISSOURI RIVER BASIN<br>WATER RESERVATION PROCESS<br>TIME FRAME EXTENSION    | IN HOUSE<br>TABLED IN<br>(H) APPROPRIATIONS      | 12/10       |
| 3 KEATING      | ELIMINATE SILICOSIS BENEFITS                                                       | IN SENATE<br>TABLED IN<br>(S) FINANCE & CLAIMS   | 12/03       |
| 4 TOWE         | REVISE ALLOCATION OF COAL<br>SEVERANCE TAX WITHIN TRUST<br>FUND                    | CHAPTER NUMBER                                   | 12/20<br>8  |
| 5 BROWN        | INCREASE REGISTRATION FEE FOR<br>LOBBYISTS; PROVIDE FOR WAIVER<br>OF THE FEE       | CHAPTER NUMBER                                   | 12/23<br>18 |
| 6 FORRESTER    | INCREASE LEGISLATIVE<br>CANDIDATES' FILING FEES                                    | IN SENATE<br>DIED IN PROCESS                     | 12/19       |
| 7 FORRESTER    | REDUCE NUMBER OF COUNTY<br>ELECTION ADMINISTRATOR<br>WORKSHOPS                     | CHAPTER NUMBER                                   | 12/16<br>4  |
| 8 BARTLETT     | ALLOW STATE AUDITOR COLLECTION<br>OF COUNTY/IRS DELINQUENT<br>TAXES WHEN REQUESTED | IN HOUSE<br>2ND READING NOT CONCUR<br>AS AMENDED | 12/10       |
| 9 KLAMPE       | REQUIRE CONTRACT RENEGOTIATION<br>WHEN TWO OR MORE SCHOOL<br>DISTRICTS REORGANIZE  | IN SENATE<br>2ND READ--INDEFINITELY<br>POSTPONED | 12/07       |
| 10 HARP        | FUNDING FOR ADMINISTRATION OF<br>CERTAIN TAXES                                     | IN SENATE<br>DIED IN COMMITTEE                   | 12/19       |
| 11 JERGESON    | ABOLISH DEPARTMENT OF COMMERCE<br>AND TRANSFER ITS FUNCTIONS<br>ELSEWHERE          | IN HOUSE<br>TABLED IN<br>(H) BUSINESS            | 12/16       |
| 12 SWIFT       | TAXABLE VALUATION OF<br>RESIDENTIAL PROPERTY -<br>LIMITED GROWTH - LOW INCOME      | IN SENATE<br>DIED IN COMMITTEE                   | 12/19       |
| 13 BIANCHI     | EXEMPTION FROM INDEMNITY BOND<br>REQUIREMENT FOR DUPLICATE<br>STATE WARRANT        | CHAPTER NUMBER                                   | 12/16<br>5  |
| 14 CHRISTIAENS | ALLOW ELECTRONIC FILING OF<br>APPOINTMENT/TERMINATION OF<br>INSURANCE PRODUCERS    | CHAPTER NUMBER                                   | 12/16<br>6  |
| 15 JERGESON    | COUPON BOOKS FOR SPEEDERS                                                          | IN SENATE<br>TABLED IN<br>(S) FINANCE & CLAIMS   | 12/03       |

| -SB--AUTHOR-----  | SUBJECT-----                                                                        | LATEST ACTION-----                                                  |
|-------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| 16 BURNETT        | ELIMINATE STATE MEAT AND<br>POULTRY INSPECTION PROGRAM                              | IN SENATE 12/03<br>TABLED IN<br>(S) FINANCE & CLAIMS                |
| 17 CRIPPEN        | CONSTITUTIONAL AMENDMENT TO<br>ASSESS CLASS 4 PROPERTY ON<br>ACQUISITION VALUE      | IN SENATE 12/19<br>DIED IN COMMITTEE                                |
| 18 HALLIGAN       | TAX INCENTIVES FOR INCREMENTAL<br>OIL PRODUCTION FROM ENHANCED<br>RECOVERY          | 12/20<br>CHAPTER NUMBER 9                                           |
| 19 SWIFT          | ELIMINATE RETIREMENT<br>ADJUSTMENT FOR STATE, SCHOOL,<br>AND LOCAL RETIREES         | IN SENATE 12/19<br>DIED IN COMMITTEE                                |
| 20 HARP           | IMPLEMENT CONST. AMEND. FOR<br>CLASS 4 PROPERTY ASSESSED ON<br>ACQUISITION VALUE    | IN SENATE 12/19<br>DIED IN COMMITTEE                                |
| 21 TOWE           | LIMIT INCREASE IN ASSESSED<br>VALUE OF RESIDENCES TO<br>STATEWIDE AVERAGE           | IN SENATE 12/19<br>DIED IN COMMITTEE                                |
| 22 HALLIGAN       | TAX CREDIT TO REFUND TAXES<br>PAID ON FEDERAL RETIREMENT<br>INCOME                  | IN SENATE 12/19<br>DIED IN COMMITTEE                                |
| 23 CHRISTIAENS    | AMEND YEARLY CLOTHING<br>ALLOWANCE FOR FOSTER CHILD TO<br>REFLECT CURRENT APPROP    | 12/23<br>CHAPTER NUMBER 19                                          |
| 24 STANG          | INCREASE FUEL CONSERVATION<br>SPEEDING FINE; STATE SHARE OF<br>INCREASE TO GEN FUND | IN HOUSE 12/16<br>2ND READ--INDEFINITELY<br>POSTPONED               |
| 25 VAN VALKENBURG | IMPLEMENT GOVERNOR'S TAX<br>ADVISORY COUNCIL IMMEDIATE<br>RECOMMENDATIONS           | IN HOUSE 12/19<br>DIED IN COMMITTEE                                 |
| 26 VAN VALKENBURG | IMPLEMENT GOVERNOR'S TAX<br>ADVISORY COUNCIL<br>CONSTITUTIONAL AMENDMENT            | IN SENATE 12/19<br>DIED IN COMMITTEE                                |
| 27 VAN VALKENBURG | CONST. AMEND TO ALLOW PROPERTY<br>VALUE EQUALIZATION BASED ON<br>ACQUISITION VALUE  | PROPOSED CONST. AMEND.<br>PASSED; CONTINGENT UPON<br>VOTER APPROVAL |
| 28 JERGESON       | CREATE TOLL-FREE NUMBER TO<br>REPORT WASTE, FRAUD, ABUSE IN<br>STATE GOVERNMENT     | 12/23<br>CHAPTER NUMBER 20                                          |
| 29 JACOBSON       | SUPREME COURT ADMINISTER -<br>FOSTER CARE PILOT PROJECT                             | 12/23<br>CHAPTER NUMBER 21                                          |
| 30 SWYSGOOD       | TRANSFER CERTIFICATION<br>ADVISORY COUNCIL AND INCREASE                             | IN SENATE 12/07<br>TABLED IN                                        |



| -SB--AUTHOR-----  | SUBJECT-----                                                                 | LATEST ACTION-----                                   |
|-------------------|------------------------------------------------------------------------------|------------------------------------------------------|
|                   | CERTIFICATION FEES                                                           | (S) EDUCATION                                        |
| 31 GAGE           | REVISE LEGISLATIVE JOURNAL REQUIREMENTS                                      | 12/23<br>CHAPTER NUMBER 22                           |
| 32 BROWN          | PROVIDE FINANCIAL INCENTIVES TO STATE AGENCIES/MOST EMPLOYEES TO SAVE MONEY  | 12/23<br>CHAPTER NUMBER 23                           |
| 33 BURNETT        | REVISE LAWS RELATING TO THE INVESTIGATION & REMOVAL OF A CHILD FROM THE HOME | IN HOUSE 12/19<br>DIED IN COMMITTEE                  |
| 34 BLAYLOCK       | ELIMINATE STATE FUNDING AND ADMINISTRATION OF SCHOOL TRANSPORTATION          | IN SENATE 12/09<br>2ND READ--INDEFINITELY POSTPONED  |
| 35 BRUSKI-MAUS    | THE SEVERED MINERAL AND TAX ACT; PROPERTY TAX ON SEVERED MINERAL INTERESTS   | IN SENATE 12/10<br>TABLED IN<br>(S) TAXATION         |
| 36 AKLESTAD       | ELIMINATE STATE EMPLOYEES' JANUARY 1995 PAY INCREASE                         | IN SENATE 12/08<br>TABLED IN<br>(S) FINANCE & CLAIMS |
| 37 BRUSKI-MAUS    | REQUIRE SALE OF CERTAIN STATE LANDS; REVISE PAYMENT & ACREAGE PROVISIONS     | IN SENATE 12/10<br>TABLED IN<br>(S) EDUCATION        |
| 38 HALLIGAN       | AD HOC RETIREMENT SUPPLEMENTAL PAYMENTS FOR STATE EMPLOYEES & VOL. FIRE      | IN HOUSE 12/17<br>TABLED IN<br>(H) STATE ADMIN.      |
| 39 WATERMAN       | REVISE WELFARE INELIGIBILITY; PROVIDE MEDICAID COST RECOVERY AND LIEN        | IN HOUSE 12/15<br>TABLED IN<br>(H) JUDICIARY         |
| 40 MESAROS        | REDUCE PROPERTY TAX REDEMPTION PERIOD                                        | IN SENATE 12/17<br>TABLED IN<br>(S) TAXATION         |
| 41 BROWN          | ELIMINATE STATE LIQUOR STORES AND GET STATE OUT OF WINE SALES BUSINESS       | IN SENATE 12/16<br>TABLED IN<br>(S) TAXATION         |
| 42 BARTLETT       | GENERALLY REVISE PROPERTY TAXATION; CRITERIA FOR INCOME TAX CREDIT OR REBATE | IN SENATE 12/19<br>DIED IN PROCESS                   |
| 43 FRITZ          | REVISE ALLOCATION OF GAS TAX                                                 | 12/27<br>TRANSMIT TO GOVERNOR                        |
| 44 JERGESON       | CREATE DEPARTMENT OF RESOURCE MANAGEMENT - COMBINE 4 AGENCIES                | IN SENATE 12/13<br>TABLED IN<br>(S) FINANCE & CLAIMS |
| 45 VAN VALKENBURG | SPECIAL ELECTION ON I.R. 112                                                 | IN HOUSE 12/17<br>TABLED IN                          |

-SB--AUTHOR-----SUBJECT-----LATEST ACTION-----  
(H) STATE ADMIN.

|             |                                                                                      |                                               |
|-------------|--------------------------------------------------------------------------------------|-----------------------------------------------|
| 46 KLAMPE   | ELIMINATE BONUS PAYMENTS TO<br>CONSOLIDATING SCHOOL<br>DISTRICTS                     | 12/20<br>TRANSMIT TO GOVERNOR                 |
| 47 ECK      | REQUIRE INFORMATIONAL<br>INDIVIDUAL INCOME TAX RETURN<br>BASED ON HB 671             | IN SENATE 12/19<br>DIED IN COMMITTEE          |
| 48 TOWE     | AUTHORIZING LOCAL OPTION<br>REALTY TRANSFER TAX TO<br>PROVIDE PROPERTY TAX RELIEF    | IN SENATE 12/19<br>DIED IN COMMITTEE          |
| 49 FRITZ    | REORGANIZE PUBLIC SCHOOL<br>SYSTEM INTO K-12 DISTRICTS                               | IN SENATE 12/14<br>TABLED IN<br>(S) EDUCATION |
| 50 WATERMAN | REQUIRE DEPT. OF HEALTH & ENV.<br>SCI. TO LICENSE ASSISTED<br>LIVING FACILITIES      | IN HOUSE 12/19<br>DIED IN COMMITTEE           |
| 51 GAGE     | REVISE STATE EMPLOYEE<br>PROTECTION ACT; EXCEPT<br>JUDICIAL/LEGISLATIVE<br>EMPLOYEES | 12/23<br>CHAPTER NUMBER 24                    |
| 52 WEEDING  | ALLOCATE FUEL TAX REFUNDS TO<br>SPECIAL REVENUE ACCOUNTS                             | IN HOUSE 12/19<br>DIED IN PROCESS             |
| 53 JERGESON | DELAY EFFECTIVE DATE OF AD HOC<br>RETIREE ADJUSTMENTS                                | IN HOUSE 12/19<br>DIED IN PROCESS             |

12/27/93 14:49

SENATE BILL STATUS REPORT

12

-SJ--AUTHOR-----SUBJECT-----LATEST ACTION-----

|               |                                                                                   |                                                |       |
|---------------|-----------------------------------------------------------------------------------|------------------------------------------------|-------|
| 1 TOEWS       | URGE BOARD OF LAND COMMRS TO<br>DISPOSE OF OR CONSOLIDATE<br>CERTAIN STATE LANDS  | IN SENATE<br>3RD READING FAILED                | 12/09 |
| 2 BURNETT     | DIRECT CHILDREN & FAMILY JOINT<br>COMMITTEE TO EXAMINE SERVICES<br>TO THE ELDERLY | IN SENATE<br>SIGNED BY PRESIDENT               | 12/22 |
| 3 FORRESTER   | RESOLUTION TO URGE ST. FUND TO<br>LESSEN IMPACT OF ADVANCE<br>PREMIUM ON BUSINESS | FILED WITH THE OFFICE<br>OF SECRETARY OF STATE | 12/20 |
| 4 BRUSKI-MAUS | RESOLUTION URGING NO<br>ADDITIONAL RESTRICTIONS ON<br>ABOVE-GROUND STORAGE TANKS  | IN SENATE<br>SIGNED BY PRESIDENT               | 12/22 |
| 5 REA         | HONOR DEB GREENOUGH AND DAN<br>MORTENSEN - WORLD RODEO<br>CHAMPIONS               | IN SENATE<br>SIGNED BY PRESIDENT               | 12/22 |

-SR--AUTHOR-----SUBJECT-----LATEST ACTION-----

|                  |                                                                           |                                                         |
|------------------|---------------------------------------------------------------------------|---------------------------------------------------------|
| 1 YELLOWTAIL, JR | CONFIRM APPOINTMENT OF C.<br>BRUCE LOBLE AS CHIEF WATER<br>JUDGE          | 12/15<br>FILED WITH THE OFFICE<br>OF SECRETARY OF STATE |
| 2 YELLOWTAIL, JR | CONFIRM APPOINTMENT OF MIKE<br>MCCARTER AS WORKERS'<br>COMPENSATION JUDGE | 12/15<br>FILED WITH THE OFFICE<br>OF SECRETARY OF STATE |
| 3 VAUGHN         | SENATE RESOLUTION CONFIRMING<br>GUBERNATORIAL APPOINTMENTS                | 12/18<br>FILED WITH THE OFFICE<br>OF SECRETARY OF STATE |
| 4 VAUGHN         | SENATE RESOLUTION CONFIRMING<br>RICK HILL TO WORKERS' COMP<br>BOARD       | 12/15<br>FILED WITH THE OFFICE<br>OF SECRETARY OF STATE |





## COMMITTEE ON PUBLIC EMPLOYEES' RETIREMENT SYSTEMS

Committee to Hold First Meeting in January...Unable to fit in an organizational meeting during the recent Special Legislative Session, the Committee on Public Employees' Retirement Systems (CPERS) will conduct its first meeting on Friday, January 21, beginning at 9 a.m. in Room 104 of the State Capitol.

The Committee is directed by statute to review proposals affecting the state retirement systems and report on them prior to the 1995 Regular Legislative Session. The CPERS is also required to develop basic principles by which retirement legislation may be measured. Committee members will receive a background report on the current status of each of the retirement systems and a summary of basic policy principles adopted by the Pension Commission of the National Council of State Legislatures. Committee members will also review and adopt a study plan.

The primary issue expected to be raised to the CPERS is a cost of living adjustment or guaranteed annual benefit adjustment for retirees.

If you would like to be added to the interested persons mailing list to receive meeting notices and other material related to the retirement study, please contact the Legislative Council, 444-3064.

## SENATOR YELLOWTAIL RESIGNS

To Become EPA Regional Administrator...Senator Bill Yellowtail (D-Wyola) resigned his office effective Friday, December 24, 1993. Senator Yellowtail has accepted the position of regional administrator for the Environmental Protection Agency in Denver. He has served in the Montana State Senate since 1985 and was Chairman of the Senate Judiciary Committee and the Environmental Quality Council in 1993.

County Commissioners to Choose Successor...According to Montana law, the Democratic Central Committees of Big Horn, Powder River, and Rosebud Counties must submit a list of three nominees to fill the vacancy to the county commissioners of the above-named counties. The commissioners must then meet to choose the new senator. The vacancy must be filled no later than Saturday, January 8.

## THE BACK PAGE

For almost four years, the Districting and Apportionment Commission labored to redraw the legislative district boundaries in Montana to reflect the population changes of the 1990 census. The Commission's work is now completed, and its effects will be seen in the 1994 legislative elections. This month's "Back Page" contains a final wrap-up of the reapportionment process and a chart showing the old and new districts to assist people in understanding the changes that were made.

### A NEW LOOK FOR THE MONTANA LEGISLATURE

by Susan Fox

On February 24, 1994, the Districting and Apportionment Plan will be one year old. Work has begun to implement the plan in time for the 1994 elections. Section 13-3-102, MCA, states that the changing of the precinct boundaries must be accomplished within 45 days of the filing of the plan, in this case, by April 10, 1993. The local election administrators have had the daunting task of translating the census-based data into new precinct boundaries for the legislative district boundaries which were changed. These precinct boundary changes will effect legislators in the next election.

Legislators are still representing the districts in which they were elected in 1992 and will represent those districts until the first day of the 1995 legislative session. The new legislative districts (and new district numbers) come into effect for filing purposes for the November 1994 election. The filing period for legislative campaigns begins January 24, 1994, and continues through March 24, 1994. Holdover senators will adopt their new district numbers, and their new constituents as well, at the start of the 1995 Regular Session.

Many people have wondered why the legislative district numbers changed. The first Districting and Apportionment Commission in 1974 started its district numbering in the northeast corner of the state with Sheridan County being in House District 1 and Senate District 1. The 1983 Commission began its numbering in the northwest corner of the state and Lincoln County was in House District 1 and Senate District 1. The most recent Districting and Apportionment Commission continued the tradition of renumbering and began in the southeast corner of the state. Powder River, Carter, Fallon and Wibaux counties are in House District 1 and Senate District 1. Though this causes minor confusion during the

transition, it gives everyone a new district number, and prevents a numbering problem due to the loss or gain of a district.

Each sitting legislator should have received a copy of the statewide legislative district map from the Secretary of State's Elections and Legislative Bureau. The Secretary of State's Office now has maps of the counties (and some cities) with multiple districts. The Legislative Council Library also has a reference copy of the city and county maps available from the Secretary of State. The mapping technology used by the Legislative Council to prepare the district maps did not allow the level of detail previously available on county highway maps, but using highway maps and the telephone book city maps together with the Secretary of State's maps will be helpful. For the level of detail necessary for campaign purposes, the best source of information will be the County Elections Administrators who will have prepared the local precinct maps and can provide assistance on specific areas of interest in cities and towns.

This transition may seem difficult, but the County Election Administrators, the Secretary of State's Office, and the Legislative Council should be able to answer any questions. A chart follows that will help with the transition and in identifying the new district numbers. This chart assumes residence in the new district, but it is the responsibility of those who file for office to make sure they are eligible.

HOUSE AND SENATE DISTRICT NUMBERS, INCUMBENTS,  
AND HOLDOVER SENATOR ASSIGNMENTS  
SUBMITTED TO THE SECRETARY OF STATE 2/24/93  
BY THE DISTRICTING AND APPORTIONMENT COMMISSION

| Old<br>HD | Incumbent<br>Representative | New<br>HD | Old<br>SD | Incumbent<br>Senator | New<br>SD | Holdover<br>Senator |
|-----------|-----------------------------|-----------|-----------|----------------------|-----------|---------------------|
| 24        | Rep. Tunby                  | 1         | 12        | Sen. Bruski-Maus     | 1         |                     |
| 23        | Rep. J. Johnson             | 2         | 12        |                      | 1         |                     |
| 25        | Rep. Zook                   | 3         | 13        |                      | 2         | Sen. Devlin         |
| 26        | Rep. Bergman                | 4         | 13        |                      | 2         |                     |
| 100       | Rep. M. Hanson              | 5         | 50        |                      | 3         | Sen.<br>Yellowtail* |
| 99        | Rep. Russell                | 6         | 50        |                      | 3         |                     |
| 27        | Rep. McCaffree              | 7         | 14†       | None                 | 4         |                     |
| 31        | Rep. Clark                  | 8         | 16        |                      | 4         |                     |



|      |                 |    |     |                  |    |                |
|------|-----------------|----|-----|------------------|----|----------------|
| 87   | R. H.S. Hanson  | 9  | 44  |                  | 5  | Sen. Keating   |
| 88   | Rep. R. Johnson | 10 | 44  |                  | 5  |                |
| 95   | Rep. T. Nelson  | 11 | 48  |                  | 6  | Sen. Hager*    |
| 96   | Rep. McCulloch  | 12 | 48  |                  | 6  |                |
| 93   | Rep. Whalen     | 13 | 47  | Sen. Rye         | 7  |                |
| 94   | Rep. Bohlinger  | 14 | 47  |                  | 7  |                |
| 97   | Rep. Winslow    | 15 | 49  |                  | 8  | Sen. Forrester |
| 98   | Rep. Stovall    | 16 | 49  |                  | 8  |                |
| 92   | Rep. Driscoll   | 17 | 46  | Sen. Towe        | 9  |                |
| 91   | Rep. Simon      | 18 | 46  |                  | 9  |                |
| 90   | Rep. Mills      | 19 | 45  |                  | 10 | Sen. Crippen   |
| 89   | Rep. Fagg       | 20 | 45  |                  | 10 |                |
| 86   | Rep. Vogel      | 21 | 43  | Sen. Blaylock    | 11 |                |
| 85   | Rep. Molnar     | 22 | 43  |                  | 11 |                |
| 84   | Rep. Ellis, Jr  | 23 | 42  | Sen. Burnett     | 12 |                |
| 83   | Rep. Keller     | 24 | 42  |                  | 12 |                |
| 81   | Rep. Anderson   | 25 | 41  | Sen. Grosfield   | 13 |                |
| 82   | Rep. Raney      | 26 | 41  |                  | 13 |                |
| 77   | Rep. Spring     | 27 | 39  | Sen. Bianchi     | 14 |                |
| 78   | Rep. Wallin     | 28 | 39  |                  | 14 |                |
| 80   | Rep. Barnhart   | 29 | 40  |                  | 15 | Sen. Eck       |
| 79   | Rep. Swanson    | 30 | 40  |                  | 15 |                |
| New† |                 | 31 | 38  | Sen. Rea         | 16 |                |
| 76   | Rep. Barnett    | 32 | 38  |                  | 16 |                |
| 74   | Rep. Endy       | 33 | 37  |                  | 17 | Sen. Swysgood  |
| 73   | Rep. Tash       | 34 | 37  |                  | 17 |                |
| 72   | Rep. Shea       | 35 | 36  |                  | 18 | Sen. Jacobson  |
| 71   | Rep. Quilici    | 36 | 36  |                  | 18 |                |
| 70   | Rep. Pavlovich  | 37 | 35  |                  | 19 | Sen. Lynch     |
| 68   | Rep. Harrington | 38 | 34† |                  | 19 |                |
| 75   | Rep. Grimes     | 39 | 38  | Sen. Koehnke     | 20 |                |
| 32   | Rep. Foster     | 40 | 16  |                  | 20 |                |
| 33   | Rep. Wiseman    | 41 | 17  | Sen. Franklin    | 21 |                |
| 34   | Rep. Dolezal    | 42 | 17  |                  | 21 |                |
| 37   | Rep. Wyatt      | 43 | 19  |                  | 22 | Sen. Wilson    |
| 38   | Rep. Ryan       | 44 | 19  |                  | 22 |                |
| 36   | Rep. S. Rice    | 45 | 18  | Sen. Christiaens | 23 |                |
| 35   | Rep. Tuss       | 46 | 18  |                  | 23 |                |
| 41   | Rep. Strizich   | 47 | 21  | Sen. Doherty     | 24 |                |
| 40   | Rep. Galvin     | 48 | 20  |                  | 24 |                |
| 39   | Rep. Simpkins   | 49 | 20  |                  | 25 | Sen. Mesaros   |
| 42   | Rep. Cobb       | 50 | 21  |                  | 25 |                |
| 43   | Rep. J. Rice    | 51 | 22  | Sen. Waterman    | 26 |                |

|      |                 |    |    |                  |    |                     |
|------|-----------------|----|----|------------------|----|---------------------|
| 44   | Rep. Harper     | 52 | 22 |                  | 26 |                     |
| 45   | Rep. Ewer       | 53 | 23 |                  | 27 | Sen. Bartlett       |
| 46   | Rep. Hibbard    | 54 | 23 |                  | 27 |                     |
| 47   | Rep. Grady      | 55 | 24 | Sen. Beck        | 28 |                     |
| 48   | Rep. Smith      | 56 | 24 |                  | 28 |                     |
| 67   | Rep. Menahan    | 57 | 34 |                  | 29 | Sen. Pipinich       |
| 65   | Rep. Larson     | 58 | 33 |                  | 29 |                     |
| 64   | Rep. Benedict   | 59 | 32 | Sen. Swift       | 30 |                     |
| 63   | Rep. Mason      | 60 | 32 |                  | 30 |                     |
| 62   | Rep. Stanford   | 61 | 31 |                  | 31 | Sen. Klampe         |
| 61   | Rep. Sayles     | 62 | 31 |                  | 31 |                     |
| 60   | Rep. Toole      | 63 | 30 |                  | 32 | Sen. Van Valkenburg |
| 59   | R. Cocchiarella | 64 | 30 |                  | 32 |                     |
| 56   | Rep. Brooke     | 65 | 28 | Sen. Fritz       | 33 |                     |
| 55   | Rep. Kadas      | 66 | 28 |                  | 33 |                     |
| 57   | R. S.J. Hansen  | 67 | 29 | Sen. Halligan    | 34 |                     |
| 58   | Rep. Squires    | 68 | 29 |                  | 34 |                     |
| 54   | Rep. Ream       | 69 | 27 |                  | 35 | Sen. Weldon         |
| New† |                 | 70 |    |                  | 35 |                     |
| 52   | Rep. Bird       | 71 | 26 |                  | 36 | Sen. Stang          |
| 51   | Rep. Elliott    | 72 | 26 |                  | 36 |                     |
| 53   | Rep. Davis      | 73 | 27 |                  | 37 | Sen. Harding        |
| 50   | Rep. Mercer     | 74 | 25 |                  | 37 |                     |
| 49   | Rep. Brandewie  | 75 | 25 | None             | 38 |                     |
| New† |                 | 76 |    |                  | 38 |                     |
| 6    | Rep. Herron     | 77 | 3  | Sen. Kennedy, Jr | 39 |                     |
| 5    | Rep. Dowell     | 78 | 3  |                  | 39 |                     |
| 4    | Rep. Boharski   | 79 | 2  |                  | 40 | Sen. Brown          |
| 3    | Rep. Fisher     | 80 | 2  |                  | 40 |                     |
| 1    | Rep. Peterson   | 81 | 1  | Sen. Vaughn      | 41 |                     |
| 2    | Rep. Orr        | 82 | 1  |                  | 41 |                     |
| 8    | Rep. Wagner     | 83 | 4  |                  | 42 | Sen. Harp           |
| 7    | Rep. Wanzenried | 84 | 4  |                  | 42 |                     |
| 9    | Rep. Gervais    | 85 | 5  | Sen. Gage        | 43 |                     |
| 10   | Rep. Hayne      | 86 | 5  |                  | 43 |                     |
| 11   | Rep. Rose       | 87 | 6  | Sen. Aklestad    | 44 |                     |
| 12   | Rep. Feland     | 88 | 6  |                  | 44 |                     |
| 13   | Rep. DeBruycker | 89 | 7  | Sen. Hockett     | 45 |                     |
| 14   | Rep. Bachini    | 90 | 7  |                  | 45 |                     |
| 15   | Rep. Peck       | 91 | 8  | Sen. Jergeson    | 46 |                     |
| 16   | Rep. Bardanouve | 92 | 8  |                  | 46 |                     |
| 29   | Rep. Knox       | 93 | 15 |                  | 47 | Sen. Hertel         |
| 30   | Rep. Grinde     | 94 | 15 |                  | 47 |                     |
| 17   | Rep. Bergsagel  | 95 | 9  |                  | 48 | Sen. Toews          |
| 18   | Rep. Schye      | 96 | 9  |                  | 48 |                     |
| 19   | Rep. L. Nelson  | 97 | 10 |                  | 49 | Sen.                |

|    |                |     |    |    |            |
|----|----------------|-----|----|----|------------|
|    |                |     |    |    | Brenden*   |
| 20 | Rep. Schwinden | 98  | 10 | 49 |            |
| 28 | Rep. Kasten    | 99  | 14 | 50 | Sen. Tveit |
| 22 | Rep. Gilbert   | 100 | 11 | 50 |            |

**NOTES:**

Current HD and Incumbent Representative- 1993-94 term

New HD - for use in 1994 elections for 1995-96 term

Current SD - used in 1993-94 term

Incumbent Senator - elected for 1991-1994 term

New SD - for use in 1994 and subsequent elections

Holdover Senator - uses Current SD until January 1, 1995 when new SD comes into use (which may represent a newly configured district). Holdover senators must run for reelection in 1996. Senate incumbency depends on residency and other statutory requirements (i.e. does the senator still live in the district if it is a multi-county district).

\*seat up in 1994 election for 2-year term

†Current Senate Districts SD 34 (Sen. Henry McClernan) and SD 14 (Sen. Cecil Weeding) technically "disappear" due to reapportionment; if either Senator wishes to run he will have to run in another district when that district's seat is up for election.

‡New HD#'s 31, 70, 76 replace Current HD#'s 21, 66, 69 (not listed) due to reapportionment.



## INTERIM CALENDAR

### JANUARY

January 7, Subcommittee on Insurance Issues, Room 104, 9:30 a.m.

January 7, Water Policy Committee, Room 108, 8:00 a.m.

January 7, Committee on Postsecondary Education Policy and Budget, Room 312-1, 9:00 a.m.

January 14, Subcommittee on Veterans' Needs, Room 104

January 21, Committee on Public Employee Retirement Systems, Room 104

January 21, EQC's Hazardous Waste Management Working Group, DNRC Director's Conference Room, 9:00 a.m.

January 28, Environmental Quality Council, Room 108

January 28, Revenue Oversight Committee, Room 104

### FEBRUARY

February 4, Subcommittee on Workers' Compensation Alternatives, Room 104

February 7, Water Policy Committee, Room 104



Montana Legislative Council  
State Capitol Room 138  
Helena MT 59620-1706



